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supercercede
all previously
printed ones.
1994

PROVO RIVER DISTRIBUTION SYSTEM

ARTICLES OF ASSOCIATION (FOR AMENDMENTS TO THE ARTICLES 1-16-62 & 1-13-94 SEE ATTACHED SHEETS)

Preamble

WE, THE WATER USERS OF THE PROVO RIVER: users of Provo River water, and transmountain diversion waters from the Weber River and Duchesne River; in order to promote and to maintain a well regulated and harmonious river system, do establish and subscribe to these

ARTICLES OF ASSOCIATION

I

The name of this organization shall be the Provo River Distribution System.

II

The principle place of business of this organization shall be Provo, Utah.

III

The governing body shall be a BOARD OF DIRECTORS, consisting of nine members, duly elected annually by the water users each represents, to serve for a term of one year, or until their successors are duly elected and qualified, and shall serve as district representatives in any and all matters concerning the administration and distribution of waters of the Provo River and its tributaries.

IV

Each water user group shall establish an equitable basis to elect its director, at a meeting called for that purpose in December of each year, giving such notice as this association shall determine to be proper.

The groups and the number of directors shall be as follows:

1. KAMAS VALLEY CANALS GROUP--one director--elected by a majority vote on an equal basis, one vote for each stockholder.

Provo River and tributaries above Wasatch County--Summit County Line.

2. UPPER PROVO RIVER EAST HEBER VALLEY GROUP--one director--elected by a majority vote on a second-foot or an acre-foot basis.

Provo River and tributaries in the east half of Heber Valley.

3. UPPER PROVO RIVER WEST HEBER VALLEY GROUP--one director--elected by a majority vote on an equal basis, one vote for each water user.

Provo River and tributaries in the west half of Heber Valley.

4. PROVO CITY CANALS GROUP--one director--elected by a majority vote on an acre-foot basis.

Diversions through lands on both sides of Lower Provo River, East Union, Factory Race, City Race, Tanner and Dry Creek laterals, together with the Lake Bottoms Canal, Spring Creek and Fort Field Canal.

5. EAST PROVO CANALS GROUP--one director--elected by a majority vote on an acre-foot basis.

Diversions through Timpanogos Canal, Upper East Union, City Creek, and McBride-Parks Ditch. Boundaries being from the mouth of Provo Canyon south on the east side of Provo River to lands irrigated by Provo City diversions. Also, the area on the west side of Provo River irrigated by McBride-Parks ditch near the mouth of Provo Canyon.

6. PROVO BENCH CANALS GROUP--one director--elected by a majority vote on an acre-foot basis.

Lands irrigated from canals on the west side of Provo River and the West Union Canal diversions.

7. PROVO RESERVOIR WATER USERS COMPANY GROUP--one director--elected by a majority vote on a share basis: Early (1/2 vote), Late (1/2 vote). Full share (1 vote); or appointed by the Board of Directors of the Provo Reservoir Water Users Company.

Exchanges and diversions along the Provo Reservoir Canal from the mouth of Provo Canyon to the vicinity of Municipal Airport No. 2 near West Jordan.

8. PROVO RIVER WATER USERS ASSOCIATION GROUP--one director--elected by a majority of the Board of Directors of the Provo River Water Users Association.

9. UPPER PROVO RIVER INDIVIDUAL RIGHTS GROUP--one director--elected by a majority vote on an equal basis, one vote for each water user.

Individual users on upper Provo River and tributaries above Deer Creek Reservoir, and Utah Power and Light Company.

The locations of the groups above described are delineated on the attached map to which reference is hereby made and which map is made a part hereof.

V

The said Board of Directors shall elect from their membership a Chairman, Vice-Chairman, and a Secretary-Treasurer, and may appoint other officers, agents, and committees necessary to carry out the functions of the governing body.

VI

At least five members of the Board of Directors must be present at any meeting to constitute a QUORUM; and a majority of the directors present when a quorum exists shall transact the business of the association.

VII

It shall be the duty of the Board of Directors of this association to promote general harmony for the entire river system, and to care for the needs of the individual and corporate water users, insofar as they are the representatives of the said users and function as administrators and mediators of their water affairs.

The said Board shall be empowered to make such by-laws and rules and regulations necessary for the government and effective administration of the policies of this organization; to assess as may be necessary to prosecute the work of the association; to transact the business of the association; to recommend a RIVER COMMISSIONER and a BUDGET for submission to the STATE ENGINEER.

VIII

The ANNUAL MEETING of the Board of Directors shall be held at 1:00 p.m., on the second Wednesday in January each year, at which time an appraisal of the past year's water supply and problems will be discussed and plans made for presentation to the State Engineer. A schedule of meetings for the year shall be made at the January meeting, although the Board and members may meet as often as necessary to better direct the affairs of the Provo River Distribution System. Special meetings, may be called at any time upon ten days' notice in writing to all directors, informing them of the time and place of the proposed meeting. These special meetings may be called at any time upon ten days' notice by the Chairman, or by any three directors. In addition to these meetings of the Directors, meetings may be held with the respective groups to discuss their water problems at any time.

Following the Annual Meeting of the Board of Directors, and as early as possible thereafter, the Board of Directors will meet with the State Engineer to agree upon a budget and a River Commissioner, and to make plans for water distribution for the following year.

IX

In case of a vacancy caused by the death of a member of the Board of Directors, or by his resignation or removal from his district, the remaining members of the Board shall notify the State Engineer in writing of the said vacancy and shall act as an administrative body to assist the water users of the district in which the vacancy exists in the election of a new director, who, upon being duly elected and qualified, shall act with full and equal powers as a member of the Board of Directors of the Provo River Distribution System.

X

These articles of Association may be amended at any annual meeting with a quorum of the Board of Directors present; and the Board shall have the power to select and to change from time to time, the headquarters and the principle place of business of this association, THE PROVO RIVER DISTRIBUTION SYSTEM.

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**PROVO RIVER DISTRIBUTION SYSTEM
AMENDMENTS TO ARTICLES OF ASSOCIATION**

At a Board of Directors meeting, held January 16, 1962, the following amendments to the Articles of Association were adopted:

III

The governing body shall be a BOARD OF DIRECTORS, consisting of nine members, duly elected annually by the water users each represents, to serve for a term of one year, unless sooner resigning, or until their successors are have been duly elected and qualified, and shall serve as district representatives in any and all matters concerning the administration and distribution of waters of the Provo River and its tributaries.

VIII

The ANNUAL MEETING of the Board of Directors shall be held at ~~1:00 p.m.~~, 10:00 a.m. in the Utah County Courthouse, on the second Wednesday in January each year, at which time an appraisal of the past year's water supply and problems will be discussed and plans made for presentation to the State Engineer. A schedule of meetings for the year shall be made at the January meeting, although the Board and members may meet as often as necessary to better direct the affairs of the Provo River Distribution System. Special meetings may be called at any time upon ten days' notice in writing to all directors, informing them of the time and place of the proposed meeting. These special meetings may be called at any time upon ten days' notice by the Chairman, or by any three directors. In addition to these meetings of the Directors, meetings may be held with the respective groups to discuss their water problems at any time.

Following the Annual Meeting of the Board of Directors, and as early as possible thereafter, the Board of Directors will meet with the State Engineer to agree upon a budget and a River Commissioner and one or more deputy Commissioners, the latter to be nominated by the River Commissioner, it being provided, however, that such deputy or deputies must also be satisfactory to the Board of Directors, and to make plans for water distribution for the following year.

(See H.C.G. letter to Earl Condor 2-9-60)

At a Board of Directors meeting, held January 13, 1994, the following amendments to the Articles of Association were adopted:

III

The governing body shall be a BOARD OF DIRECTORS, consisting of ~~nine~~ ten members, duly elected annually by the water users each represents, to serve for a term of one year, unless sooner resigning, or until their successors have been duly elected and qualified, and shall serve as district representatives in any and all matters concerning the administration and distribution of waters of the Provo River and its tributaries.

IV

Each water user group shall establish an equitable basis to elect its director, at a meeting called for that purpose in December of each year, giving such notice as this association shall determine to be proper.

The groups and the number of directors shall be as follows:

1. KAMAS VALLEY CANALS GROUP--one director--elected by a majority vote on an equal basis, one vote for each stockholder.

Provo River and tributaries above Wasatch County--Summit County Line.

(For Groups 2 to 9 see original Articles)

10. CENTRAL UTAH WATER CONSERVANCY DISTRICT--one director--appointed by the General Manager of the District.

The locations of the groups above described are delineated on the attached map to which reference is hereby made and which map is made a part hereof.

VI

At least ~~five~~ six members of the Board of Directors must be present at any meeting to constitute a QUORUM: and a majority of the directors present when a quorum exists shall transact the business of the association.

In the event of a tied vote the chairman conducting the meeting shall have one additional vote to break the tie.